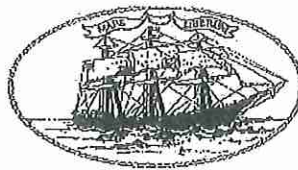


Department of Finance  
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## CITY OF NEW LONDON

To: Mayor Michael Passero  
From: David McBride, Director of Finance *DM*  
Cc: Brian Sear, Director of Public Works  
Date: August 26, 2019  
Re: Greens Harbor and subsequent infrastructure improvements

The purpose of this memo is to provide a brief summary of the evolution of the Greens Harbor Beach and Pequot Avenue Drainage Project and related City infrastructure improvements.

The initial scope of the Greens Harbor project was developed in September, 2016 with the City Council's authorization to enter into an Infrastructure Assistance Agreement between the State of Connecticut and the City of New London. The details of the agreement stated that the total estimated cost of \$1,974,500 was to be split between US Department of Housing and Urban Development (\$1,480,875) and the City of New London (\$493,625). An appropriation for the funding was approved by City Council in November 2016. The initial scope included reconstructing the stormwater infrastructure to reduce flooding on Pequot Avenue and relocating the storm water outfall that crossed the recreational beach area in order to improve the health and safety of residents.

The project went out to bid several times, eventually resulting in the City Council approving a contract with Colonna Construction in the amount of \$1,909,054 to fulfill the obligations of the project as detailed in the initial Infrastructure Assistance agreement and the Pequot Avenue Drainage Improvement bid package prepared by Milone and Macbroom. The contract was signed December 12, 2018.

Once the project was underway, additional work became necessary to complete the project scope. This work included:

- 1) Bypass road construction (the original plan to close Pequot Ave during the project became impossible because of truck access, including emergency vehicles);
- 2) Sewer pipe replacement (identified once the road was opened up; PU Director consulted);
- 3) Additional drainage, shoring, and road excavation (due to unforeseen underground site conditions).

Additionally, in conjunction with the Pequot Avenue drainage project, Public Works staff undertook improvements to the upland areas of the Greens Harbor park property to enhance drainage and to prevent flooding and erosion and more than double the existing usable recreation space. It should be noted that none of the additional work was a result of any mistakes or errors in construction by Colonna and its subcontractors, and much of it was subsequently approved by the City Council via amendments to the original contract.

All of the above improvements, expansions and enhancements fell within the terms of the original contracted work, or the amendments with Colonna construction authorized by the City Council, or were required to be completed in an expeditious manner in conjunction with the Greens Harbor project work for the health and safety of the residents of the City of New London. For the purposes of cash flow during the course of the project, all work also fell within the allowable descriptions for infrastructure improvements relating to the Council approved appropriations for the bonds that were issued during March 2017, 2018, and 2019. In this regard, the use of prior approved infrastructure funds was approved by outside bond counsel.

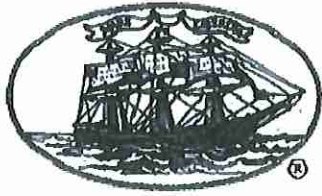
The final project accounting and related source of funds for the Greens Harbor project and the other infrastructure improvements has not been finalized as of this date. However, there are numerous funding scenarios which are currently being investigated. The City has submitted a letter requesting additional funding from the US Department of Housing (75%/25% split between HUD and New London) for the original Infrastructure Assistance Agreement. (A copy of that letter is attached.) Once the work has been completed, the City will be submitting for reimbursement of funds from the City's share of the LOCIP account that is currently available at the State of Connecticut. In addition, the City will request reimbursement for the required sewer improvement work completed in conjunction with the project from the Water and Water Pollution Control Authority. While a final accounting for the project cannot be completed until the project is finished, the City was at all times in the fortunate position of being able to complete the project well within the totals of previously appropriated infrastructure funds. Moreover, the project is not anticipated to impact the 2019 sidewalk construction and repair which continues throughout the City.

To summarize:

- 1) There were no mistakes with the work that has been completed with Greens Harbor and the related infrastructure improvements and enhancements – there was unanticipated work due to unforeseen site conditions and work associated with the additional park improvements undertaken while the project was underway to enhance the final outcome and public benefit.
- 2) All additional work was properly approved contractually or necessary and within the discretion of public works during ongoing management of the project.
- 3) All funding sources were properly appropriated with a possibility that additional funding will become available under the original Infrastructure Assistance Agreement.

I hope this brief memo provides clarity regarding the Greens Harbor project and the additional improvements to one of the City's wonderful neighborhoods and recreation areas. Please feel free to reach out to me if you have any further questions. Thank you.





## City of New London Office of the Mayor

181 State Street • New London, CT 06320 • Phone (860) 447-5201 • Fax (860) 447-7971

August 2, 2019

Seila Mosquera-Bruno, Commissioner  
Department of Housing  
State of Connecticut  
505 Hudson Street  
Hartford, CT 06106-7106

**Re: Green Harbor Beach and Pequot Avenue Storm Drainage Project  
CDBG-DR Infrastructure Grant – No. 7214  
Request for Additional Funding**

Dear Commissioner Mosquera-Bruno:

On behalf of the City of New London, I am submitting this request for additional grant funds to cover added work undertaken on the project to increase the value of the resulting drainage system, and to cover unforeseen material challenges encountered throughout the construction process.

The City of New London entered into an Infrastructure Assistance Agreement between the State of Connecticut and the City of New London under the Community Development Block Grant Disaster Recovery Program in October 2016 to evaluate and reconstruct the drainage system on Pequot Avenue for the Green Harbor recreation area. The City began construction on December 8, 2018. The estimated total development cost of the project was \$1,974,500, with the grant portion \$1,480,875, combined with a City commitment of \$493,625.

Following is a description of the scope of additional work performed:

As we began the project, it became clear that limiting construction to piping within Pequot Avenue would not alleviate flooding throughout Green Harbor Park leading to Pequot Avenue. Stormwater from the 60 plus acre catchment area extending as far as Montauk Avenue, and including large areas of impervious paving as part of Lawrence & Memorial Hospital, would continue to pour over and erode the park area and carry sediment and contamination into Pequot Avenue piping and out into the river. Most of the park property would continue to be unusable to the public.

We decided to engineer an upper drainage system that would catch stormwater at the upper reaches of the property and perform multi-stage collection and filtration to reduce the quantity and improve the quality of water entering Pequot Avenue piping. Installing the upper drainage system has two major benefits: engineering and social. From an engineering standpoint, the resulting system expands the value and effectiveness of the original project's scope. From a social standpoint, the City of New London is able to greatly increase the usable space and ground quality of the only water-fronting free recreational area of the City.

Execution of the upper drainage system included removing large amounts of boggy organic material that performed no positive function. Once the area was cleared, a system of plunge pools, rip rap, wingwalls, underdrains, manhole, stone base, fabric mesh and healthy topsoil was installed. We also added a gravel access road to provide Amtrak personnel

Seila Mosquera-Bruno, Commissioner  
Department of Housing  
State of Connecticut  
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and handicap access to the upper park. The area was graded for maximum usability and concrete slabs added for picnic tables throughout the new area. Stone walls bordering the property were also repaired. **Additional upper drainage cost: \$659,684**

The project plan included closing Pequot Avenue between Howard Street and Converse Street as necessary during construction. Just prior to beginning construction, we were notified that due to the reduced height clearance of two railroad overpasses that permitted access to Fort Trumbull (Howard Street and Walbach Street; Howard Street and Pequot Avenue) we would not be able to close Pequot Avenue, as that would negate passage of emergency vehicles and delivery vehicles to the Fort Trumbull area. This necessitated construction of a bypass road around the piping area in Pequot Avenue, and installation and constant use of timed one-way access signs at either end of the project area. Installation of jersey barriers and fencing was also required.

Details provided in the engineering plan that was used to bid the project did not require shoring to accomplish the Pequot Avenue road crossing. Excavation in the field showed extensive and costly shoring was required. Because of the location and depth of forced sewer mains and the soil composition, beam and lag shoring had to be installed, and for most of the depth excavation had to be accomplished by hand. This was slow, arduous work as a large amount of rock was uncovered, and four forced sewer mains had to be stabilized and reinforced to protect against any movement, which could result in a catastrophic sewer system breach. Excavation, and attendant dewatering, had to be performed at an increased depth of 20 feet below grade. Adjustments were made in the field to adjust structure height and piping shape to accommodate found locations of water and sewer mains.

River depth measurements in the field indicated a river bottom elevation that is 3 feet, 6 inches higher than specified on supplied plans. This necessitated raising the elevation of the 200-foot long, 48" DIP pipe from the Pequot Avenue junction chamber out to its terminus in the river. Ballast had to be provided on top of the 48" DIP installed below the beach sand to eliminate any possible movement during shifting sands. **Additional for temporary road construction, shoring, excavation, and field pipe and structure adjustments: \$925,900**

Significant rock was encountered when installing the 24" pipe and manholes along the 210-foot spur north from the roadway crossing to the northern project terminus. An existing 15" sewer main was found to be cracked, and had to be replaced for the length of the spur. Rock excavation, while protecting and then replacing the existing sewer pipe in sections, increased the time and equipment necessary for this part of the project significantly. **Additional for northern spur: \$225,171**

We greatly appreciate the opportunity to undertake this storm drainage project for the City of New London and look forward to continuing to work with the Connecticut Department of Housing. Please do not hesitate to contact me with any questions or if I can provide any further information relevant to this request.

Sincerely,

  
Michael E. Passero  
Mayor

cc: Shante Hanks, Deputy Commissioner  
Elizabeth Swenson, Economic and Community Development Agent  
Brian Sear, Director, New London Public Works Department

**Martin T. Olsen Jr.**  
**Rear 802 Ocean Avenue**  
**New London, CT 06320**  
**(860) 437-0224**

August 20, 2019

John Satti  
City Council President  
City hall  
181 State Street  
New London, CT 06320

Dear Mr. President,

I am requesting an action item be placed on the September 3, 2019 City Council Agenda for the purpose of a full and complete independent audit of the Green Harbor Beach and related project approved at the November 19, 2018 City Council meeting. As recently reported in *The Day*, at least \$1.8M has been incurred in unapproved cost overruns. The completion date of this project contract was June 30, 2019. The purpose of this request is because of the suspected breach by the mayor per City Charter Article VIII, Section 70 – Same – Modifications of Contracts and Purchasing Ordinance Section 2-68. Since this project was approved, the City Council has not been apprised of and/or approved any change orders/modifications and/or appropriations. Visual inspection of the project clearly shows that the job is incomplete, and the work continues. This is in clear violation of the stated Charter and Code of Ordinance provisions. The mayor, at the August 19, 2019 City Council meeting, flatly declined to provide any information. This blatant abuse of administrative authority and lack of transparency must cease and those responsible held accountable.

City Charter

Article VIII Department of Finance and Financial Provisions

Sec. 70 – Same – Modification of contracts.

When it becomes necessary in the opinion of the mayor to make alterations or modifications in a contract for any public work or improvement such alterations or modifications shall be made only when authorized by the council upon the written recommendation of the mayor. No such alteration shall be valid unless the price to be paid for the work or material, or both, under the altered or modified contract shall have been agreed upon in writing and signed by the contractor and the mayor prior to such authorization by the council.

Code of Ordinances

Chapter 2 Administration

Sec. 2-68 – Appropriations, funding availability, and approval of invoices.

No purchases, except emergency purchase in instances of public health or safety, approved by the chief executive officer, in writing, prior to purchase, shall be made unless there is first an appropriation therefore. The chief executive officer shall notify the city council at the next city council meeting of emergency purchase authorized and secure an appropriation therefore. The

director of finance or his designee shall certify the availability of funds prior to making all purchases other than emergency, and shall approve all invoices for payment after delivery of the service or supply has been certified by the appropriate department head.

(Ord. of 7-2-90, § 4; Ord. No. 07-21-03-9, § 1)

Respectfully,

Martin T. Olsen Jr.  
New London City Councilor